

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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In re VEECO INSTRUMENTS, INC. : Case No.: 7:05-md-01695 (CM)(GAY)
SECURITIES LITIGATION :
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----- X
THIS DOCUMENT RELATES TO :
ALL ACTIONS :
----- X

**DECLARATION OF PHYLLIS M. PARKER IN SUPPORT
OF PLAINTIFFS' RESPONSE TO DEFENDANTS' MOTION IN *LIMINE* TO
PRECLUDE EVIDENCE REGARDING VEECO'S USE OF FISCAL QUARTERS**

Phyllis M. Parker, hereby declares as follows:

I, Phyllis M. Parker, hereby declare under penalty of perjury pursuant to 28 U.S.C. § 1746
that the following is true and correct:

1. I am a lawyer of the law firm Berger & Montague, P.C., lead counsel for Lead
Plaintiff in this litigation.

2. I submit this Declaration in support of Plaintiffs' Response to Defendants' Motion
in *Limine* to Preclude Evidence Regarding Veeco's Use of Fiscal Quarters.

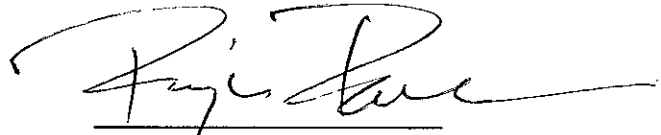
3. Attached hereto as Exhibits are true and correct copies of the following, which are
being filed *under seal* pursuant to the Confidentiality Order dated May 16, 2006:

| <u>Exhibit No.</u> | <u>Description</u> |
|--------------------|--|
| A | Veeco 2004 Form 10-K, p. 38 |
| B | VECO 0191985-86 |
| C | Robert W. Berliner Supplemental Report, dated June 12, 2007, p. 9 |
| D | Excerpts from deposition transcript of Steven C. Amato, dated May 17, 2007 |

E

Excerpts from deposition transcript of David G. Bonagura, dated
April 18, 2007

Dated: June 13, 2007


Phyllis M. Parker

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